



5.1158

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
HIDEKI KAWASAKI, ET AL.) Examiner: Peter Tung, Ph.D.
Application No.: 08/894,344) Group Art Unit: 1652
Filed: August 15, 1997)
For: NOVEL YEAST GENE)

Assistant Commissioner for Patents
Washington, D.C. 20231

NOTICE RE DEPOSIT OF MICROORGANISMS

Sir:

The above-identified application discloses cell lines which have been deposited with the National Institute of Bioscience and Human-Technology, Agency of Industrial Science and Technology, Ibaraki, Japan, under the following designations:

Escherichia coli EHK 162 (FERM BP-5328)

Saccharomyces cerevisiae YHK 1243 (FERM BP-5327)

The deposit has been made by Kyowa Hakko Kogyo Co., Ltd. with the National Institute of Bioscience and Human-Technology under the terms and conditions of the Budapest Treaty. A copy of the International Receipt form is attached. Access to the deposit will be accorded to the

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Assistant Commissioner upon request and any restrictions upon availability to the public will be irrevocably removed upon granting of any patent issuing on this application or any continuation, divisional or continuation-in-part applications. Maintenance of the deposit is assured for periods of time as specified in the Budapest Treaty.

Kyowa Hakko Kogyo Co., Ltd. will replace the cultures if any should become non-viable for a period of at least five (5) years after the most recent request for the furnishing of a sample of deposited microorganism, for a period of at least thirty (30) years after the date of deposit or for the enforceable life of such patent, whichever is longer.

The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

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punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Subscribed this 1st day of September, 1999.

For Kyowa Hakko Kogyo Co., Ltd.

By: Katsuji Kuwabara
Katsuji Kuwabara
Executive Vice-president

Title: _____

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